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JUL 11 2006

OFFICE OF PETITIONS

In re Application of :
James R. H. Challenger et al. :
Application No. 09/283,561 : DECISION ON PETITION
Filed: April 1, 1999 : UNDER 37 C.F.R. §1.181
Attorney Docket No.: YO999- :
011(87) :
Title: METHOD AND SYSTEM FOR :
EFFICIENTLY CONSTRUCTING AND :
CONSISTENTLY PUBLISHING WEB :
DOCUMENTS :

This is a decision on the petition filed April 11, 2006, pursuant to 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

The above-identified application became abandoned for failure to submit an Appeal Brief within two months of the filing of a Notice of Appeal, filed on May 2, 2005. No extensions of time pursuant to 37 C.F.R. §1.136(a) were received. Accordingly, the above-identified application became abandoned on July 3, 2005. A Notice of Abandonment was mailed on February 2, 2006.

With the present petition, Petitioner has asserted that a response to this communication was timely filed on August 2, 2005, along with a petition for a one-month extension of time¹. Petitioner has submitted a copy of this submission, and it is noted that it contains a certificate of mailing dated August 2, 2005, along with a petition for a one-month extension of time.

Petitioner has requested that the holding of abandonment in the above-identified application be withdrawn. It is clear that a

¹ Petition, page 2.

response was timely submitted. Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that petitioner has met his burden of establishing that a submission was timely submitted.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

The surcharge associated with the filing of a brief in support of an appeal has been charged to Petitioner's Deposit Account, as authorized in the petition.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the Appeal Brief which was received with the present petition can be processed.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
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